

House Bill 1097

By: Representatives Jackson of the 161st, Lunsford of the 110th, Heckstall of the 62nd, and Williams of the 89th

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 7 of Title 46 of the Official Code of Georgia Annotated, relating to motor carriers, so as to provide for regulation of taxicabs and taxi service by counties and municipalities; to provide for minimum requirements for applications for licenses; to provide for sanctions for violations of licensing and operations regulations; to provide for minimum operating requirements for taxicabs and taxi service; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 7 of Title 46 of the Official Code of Georgia Annotated, relating to motor carriers, is amended by adding a new article to read as follows:

"ARTICLE 5

L46-7-100.

(a) Counties and municipalities in this state shall have the authority to regulate the operation of taxicabs and taxi service within their jurisdictions. Such regulation may include a restriction on the overall number of taxicabs permitted in such county or municipality.

(b) Any county or municipality seeking to regulate the operation of taxicabs and taxi service within their jurisdiction shall impose licensing requirements upon taxicabs and operators. The county or municipality may charge reasonable fees for such licenses.

(c) At a minimum, each application for a license to operate a taxicab or provide taxi service within a county or municipality shall contain the following information:

(1) The complete name of the applicant;

(2) The name of the applicant's business and trade name under which the business will operate and a copy of any required business license;

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(3) If the business is a partnership, a copy of the partnership agreement, the business address of the partnership, and the names of all partners;

(4) If the business is a corporation, a copy of the certificate of incorporation, the business address of the corporation, and the name and address of its registered agent for service;

(5) The applicant's business location, mailing address, business telephone number, home address, and home telephone number;

(6) The number of permits requested;

(7) A description of all vehicles to be used as taxicabs including, but not limited to, make, model, year of manufacture, seating capacity, mileage, equipment, and amenities;

(8) Color scheme of vehicles, if any, that the applicant intends to use; and

(9) Proof of adequate liability insurance coverage for personal injury and property damage covering all operators and vehicles.

(d) The county or municipality shall impose penalties for violations of its licensing and operating regulations which may include, but shall not be limited to, suspension or revocation of licenses to operate such taxicabs or taxi service and monetary penalties.

46-7-101.

(a) Each county and municipality that regulates the operation of taxicabs and taxi service in this state shall include within such regulations the requirements of this Code section as a minimum. A county or municipality may provide stricter regulations and requirements for the operation of taxicabs and taxi service, but shall not provide lesser regulations and requirements.

(b) At a minimum, each county or municipality that regulates the operation of taxicabs and taxi service in this state shall include within such regulations the following requirements:

(1) Before any person shall be entitled to operate a taxicab or provide taxi service, such person shall obtain a license to operate a taxicab or provide taxi service from the county or municipality in which the taxicab is to be operated;

(2) Before using a vehicle as a taxicab, the taxicab shall be inspected by a licensed mechanic or other person designated by the county or municipality and found to be in good mechanical and working condition; provided, however, that a county or municipality may waive such inspection for vehicles that were manufactured in the immediately preceding 12 month period and have less than 10,000 miles of operation;

(3) Each person operating a business providing taxi service shall, in order to provide service to the public, have an office with a listed landline telephone, dispatch service, and two-way communication with all taxicabs operated by such business;

(4) Taxicabs shall not receive or discharge passengers in the roadway, but shall pull to the right-hand sidewalk as nearly as possible or, if no sidewalk is available, to the

1 extreme right-hand side of the roadway; provided, however, that, on a one-way street,
2 passengers may be received or discharged at either the left-hand or right-hand sidewalk
3 or, in the absence of a sidewalk, at the extreme left-hand or right-hand side of the
4 roadway;

5 (5) No person operating a taxicab or providing taxi service shall pay a hotel, motel,
6 restaurant, or an employee or agent of a hotel, motel, or restaurant money or any other
7 valuable consideration to divert or attempt to divert a passenger from one transportation
8 company or particular form of vehicle for hire to such person's taxicab or taxi service
9 company;

10 (6) No person shall operate a taxicab for more than 12 hours during any continuous 24
11 hour period;

12 (7) No person operating a taxicab or providing taxi service shall intentionally or
13 knowingly mislead by act or word any passenger or potential passenger about:

14 (A) The time or place of arrival or departure of a train, airplane, bus, or other vehicle
15 for hire;

16 (B) The location of any building or place or the distance between two points;

17 (C) The cost or amount of a trip; or

18 (D) Information on the cost, availability, or quality of service of other taxicab operators
19 or taxi service providers;

20 (8) No person operating a taxicab shall remain in, occupy, or park in any space on a
21 street for the transaction of any business other than the receiving or discharging of
22 passengers;

23 (9) Each taxicab shall display a current permit from the county or municipality while
24 being operated;

25 (10) Each taxicab shall base the fare charged the passenger on the use of the vehicle
26 without regard to the number of passengers carried which shall be determined by a meter
27 in such vehicle;

28 (11) No radar or laser detector, police or public safety scanner, or other two-way radio
29 frequency scanners shall be permitted in any taxicab nor shall any person providing taxi
30 service monitor or attempt to monitor any competing taxi service provider's radio
31 dispatch transmissions; and

32 (12) Each taxicab shall be prominently marked on each side and rear with the name of
33 the taxi service provider and a permanently installed roof light device identifying such
34 vehicle as a taxicab."

35 SECTION 2.

36 All laws and parts of laws in conflict with this Act are repealed.